

REMARKS

Reconsideration is respectfully requested.

By the above amendments, Claim 1 has been amended to provide an additional recitation of the elements previously cited in dependent claims. That is, Claim 1, as amended, now recites the injection channel further comprising a sample barrier disposed on the side opposite of the application area for each crossing point where the injection channel and the separation channel are linked. The recited limitation finds support in the originally filed application at page 4, last line to page 5, line 5, at page 10, lines 13-27, and in Fig. 2. No new matter has been added.

As amended, Claim 1 recites a sample barrier, corresponding to the “molecule trap” recited in dependent Claim 3. Claim 3 has been amended to provide the additional limitation of the sample barrier, that is, that it further comprises the molecule trap. Claim 4 further limits the molecule trap to one of three types of structures. It is respectfully submitted that the relied upon references to Sundberg et al. and Parce et al. each fail to disclose, teach or otherwise suggest any of the limitations to a “sample barrier” (Claim 1), “molecular trap” (Claim 3) or to one of the structures specifically recited in Claim 4.

Accordingly, it is respectfully submitted that the amendment above overcomes the outstanding rejections set forth in the Office Action dated March 17, 2004.

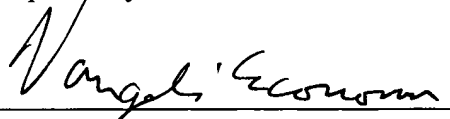
Further, with regard to Parce et al., the patent teaches only a single separation channel, whereas the claimed subject matter comprises a plurality of separation channels. This difference is important since it is an object of the invention to provide an improved electrophoresis device with an increased number of separation channels (see page 4, paragraph 2 of the originally filed specification).

Thus, these are additional reasons upon which the Applicants rely on the improper of the claims as last amended, and additionally, in the rejection dated March 17, 2004, specifically

numbered paragraphs 14 and 26 regard combining the teaching in Sundberg et al. relying on the teaching of a plurality of separation channels, the rejection is hereby traversed. The reasoning behind the proposed combination, that “it would have been obvious to utilize the teaching of Sundberg with the device of Parce in order to allow one to perform many separations simultaneously thereby reducing analysis time”, is respectfully considered to be an improper hindsight analysis. It is respectfully submitted that this asserted motivation is the very reason for and a feature of the present invention, and to propose the very modification upon which Applicant base their invention in the guise of reasoning, which reasoning is found only in the application, is improper. Moreover, Parce et al. teach away from such modification in teaching a single separation channel, and no motivation to modify that feature of Parce et al. is found in the relied upon references.

For the above reasons, it is considered that the claims, as amended, find support in the application specification as filed, and that the combination of elements recited in the pending claims, as amended, distinguish over the references of record. Accordingly, reconsideration and withdrawal of the outstanding rejections are respectfully requested an indication of allowable subject matter is earnestly solicited.

Respectfully submitted,



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July 14, 2004